

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**RONALD DENNIS MANDEVILLE,  
#833528,**

**Petitioner,**

**v.**

**RICK THALER, Director,  
Texas Department of Criminal Justice,  
Respondent.**

§  
§  
§  
§  
§  
§  
§  
§  
§

**3:11-CV-0746-D**

**FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to the provisions of 28 U.S.C. § 636(b) and Special Order 3, this case was referred for findings, conclusions, and recommendation.

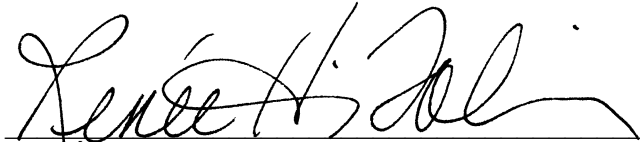
Petitioner, a Texas state inmate, filed a *pro se* petition for writ of habeas corpus on the form for filing a *state* habeas corpus application under Art. 11.07, Texas Code of Criminal Procedure. The handwritten brief in support of the petition (Doc. 2 at 13-23) raises the same claims alleged in the handwritten brief attached to the petition in *Mandenville v. Thaler*, 3:11-CV-412-G (N.D. Tex. filed on March 1, 2011) (presently referred to Magistrate Judge Stickney and awaiting a response from the Texas Attorney General) (Doc. 2 at 9-27.) Therefore, it is recommended, that the petition be **DISMISSED** as duplicative of the petition in case number 3:11-CV-412-G.<sup>1</sup>

---

<sup>1</sup> This is Petitioner's second petition that duplicates the claims raised in case number 3:11-CV-412-G. *See Mandenville v. Thaler*, 3:11-CV-416-L (N.D. Tex. Mar. 31, 2011) (dismissing petition as duplicative of petition in case number 3:11-CV-412-G).

The Clerk of the Court is **directed** to terminate the case referral.

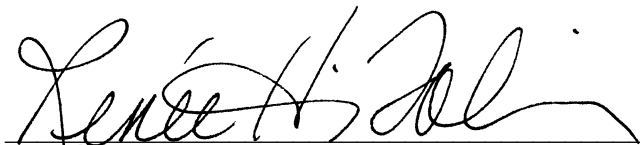
SIGNED April 18, 2011.



RENÉE HARRIS TOLIVER  
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND  
NOTICE OF RIGHT TO APPEAL/OBJECT**

A copy of this report and recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of this report and recommendation must file specific written objections within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). In order to be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's report and recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996).



RENÉE HARRIS TOLIVER  
UNITED STATES MAGISTRATE JUDGE